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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/611,787	06/30/2003	Jeremy L. Rover	42P17060	1313

8791 7590 11/02/2006

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EXAMINER

WANG, LIANG CHE A

ART UNIT PAPER NUMBER

2155

DATE MAILED: 11/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/611,787

Applicant(s)

ROVER ET AL.

Examiner

Liang-che Alex Wang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date multiple.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. Claims 1-30 are presented for examination.

#### *Paper Submitted*

2. It is hereby acknowledged that the following papers have been received and placed of record in the file:

- a. **Information Disclosure Statements** as received on 2/10/2006, 2/2/2006, 12/03/2004 are considered.

#### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 3, 5-10, 13, 15, 16, 19-22, 25-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Wiedeman et al., US Patent Number 6,651,093, hereinafter Wiedeman.
5. Referring to claim 1, Wiedeman teaches a method of changing a network location of a network component (Col 2 lines 44-45, 50-54, Col 5 lines 43-44, Col 6 lines 1-21) comprising:
  - a. programmatically (Col 6 line 1, a connect command) interrupting a link (Col 6 lines 9-12) between the network component (SUT) and a network (default

VLAN) (Col 5 line 62-Col 6 line 5, a connection command caused SUT to time out, connection is lost between SUT and default VLAN);

- b. changing the network (default VLAN to indicated VLAN) to which the network component is linked (Col 6 lines 17-19); and
  - c. establishing a link between the network component and the changed network (indicated VLAN, Col 6 lines 19-20).
- 6. Referring to claim 3, Wiedeman teaches the method of claim 1, wherein programmatically interrupting the link between the network component and the network comprises: interrupting a confirmation signal from a cable that connects the network component to the network (Col 6 lines 8-12).
- 7. Referring to claim 5, Wiedeman teaches the method of claim 1, wherein programmatically interrupting the link between the network component and the network comprises: opening a switch that connects the network component to the network (Col 6 lines 17-21).
- 8. Referring to claim 6, Wiedeman teaches the method of claim 1, wherein changing the network to which the network component is linked comprises: programmatically disassociating the network component from a first network (Col 6 lines 1-5, default VLAN); and programmatically associating the network component with a second network (Col 6 lines 18-21, indicated VLAN).
- 9. Referring to claim 7, Wiedeman teaches the method of claim 1, wherein changing the network to which the network component is linked comprises: programmatically reconfiguring the network (Col 5 line 62- Col 6 line 21, switch file is updated).

10. Referring to claim 8, Wiedeman teaches the method of claim 7, wherein  
programmatically reconfiguring the network comprises: programmatically configuring a  
Virtual Local Area Network (VLAN) switch to include the network component in a  
VLAN of the VLAN switch (Col 4 lines 35-53).
11. Referring to claim 9, Wiedeman teaches the method of claim 7, wherein  
programmatically reconfiguring the network comprises: programmatically configuring a  
router (item 104) to associate a network interface with the network component (figure 1,  
Col 5 line 62- Col 6 line 21).
12. Referring to claim 10, Wiedeman teaches the method of claim 7, wherein  
programmatically reconfiguring the network comprises: programmatically configuring a  
Dynamic Host Configuration Protocol (DHCP) server to associate a network interface  
with Internet Protocol (IP) address information (Col 1 lines 50-55).
13. Referring to claim 13, Wiedeman teaches the method of claim 1, wherein establishing the  
link between the network component and the changed network comprises: providing a  
confirmation signal to a cable that connects the network component to the network (Col 6  
lines 1-21).
14. Referring to claim 3, Wiedeman teaches the method of claim 1, wherein establishing the  
link between the network component and the changed network comprises: closing a  
switch that connects the network component to the network (Col 6 lines 1-21).
15. Referring to claim 16, Wiedeman teaches a system comprising:
  - a. a network component (SUT) to connect with a network (default VLAN)(Col 5  
lines 43-44); and

- b. a node (system 401) to change the location of the network component (Col 5 lines 63-64), the node having a processor and logic executable thereon to
- interrupt a link (Col 6 lines 9-12) between the network component (SUT) and a network (default VLAN) (Col 5 line 62-Col 6 line 5, a connection command caused SUT to time out, connection is lost between SUT and default VLAN); change the network (default VLAN to indicated VLAN) to which the network component is linked (Col 6 lines 17-19); and establish a link between the network component and the changed network (indicated VLAN, Col 6 lines 19-20).
16. Referring to claim 17, Wiedeman teaches the system of claim 16, further comprising: a hub (CAT) to provide the link between the network component (SUT) and the network VLAN); and wherein the node having the processor and logic executable thereon to interrupt the link between the network component and the network comprises the node having logic executable thereon to power down the hub that provides the link between the network component and the network.
17. Referring to claim 19, Wiedeman teaches the system of claim 16, wherein the node having a processor and logic executable thereon to change the network to which the network component is linked comprises the node having logic executable thereon to: programmatically disassociate the network component from a first network (Col 6 lines 1-5, default VLAN); and programmatically associate the network component with a second network (Col 6 lines 18-21, indicated VLAN).
18. Referring to claim 20, Wiedeman teaches the system of claim 16, wherein the node having a processor and logic executable thereon to change the network to which the

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network component is linked comprises the node having logic executable thereon to:  
programmatically reconfigure the network (Col 5 line 62- Col 6 line 21, switch file is  
updated).

19. Referring to claim 21, Wiedeman teaches the system of claim 20, wherein the node  
having a processor and logic executable thereon to programmatically reconfigure the  
network comprises the node having logic executable thereon to: programmatically  
configure a Virtual Local Area Network (VLAN) switch to include the network  
component in a VLAN of the VLAN switch (Col 4 lines 35-53).
20. Referring to claims 22, 25-27 claims 22, 25-27 encompass the same scope of the  
invention as that of the claims 16, 19-21. Therefore, claims 22, 25-27 are rejected for  
the same reason as the claims 16, 19-21.

***Claim Rejections - 35 USC § 103***

21. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all  
obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in  
section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are  
such that the subject matter as a whole would have been obvious at the time the invention was made to a person  
having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the  
manner in which the invention was made.

22. Claims 2, 11, 12, 17, 23, 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable  
over Wiedeman in views of Taylor et al., US Publication Number 2002/0065919A1.  
hereinafter Taylor

23. Referring to claim 28, Wiedeman teaches a system comprising:

a. a first node (SUT) to connect with a network (default VLAN, Col 5 lines 42-43);

- b. a system to change the network location of the first node, the system having a processor and logic executable thereon to change the network to which the first node is linked (Col 6 lines 1-21, Col 2 lines 44-57).

Wiedeman does not teach the system is a second node thereon to power down and up a hub that links the first node and the changed network.

Taylor teaches a control server's ability to reset power and reboot any device through the intelligent power supply in the evens of a hardware or software problem (page 8 [0132-0137]).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate the control server of Taylor to Wiedeman, so Wiedeman with the control server could remotely power down and power up devices in his system because both Wiedeman and Taylor teaches system control and configuration in a VLAN.

A person with ordinary skill in the art would have been motivated to make the modification to Wiedeman because having a remote control server to reset devices in a network could reduce the necessity for service visits to the devices which is designed to operate with a minimum of human intervention as taught by Taylor (page 8 [0137]).

24. Referring to claim 29, Wiedeman as modified teaches the system of claim 28, wherein the second node having a processor and logic executable thereon to change the network to which the first node is linked comprises the second node having logic executable thereon to: programmatically disassociate the network component from a first network



(Col 6 lines 1-5, default VLAN); and programmatically associate the network component with a second network (Col 6 lines 18-21, indicated VLAN).

25. Referring to claim 30, Wiedeman as modified teaches the system of claim 28, wherein the second node having a processor and logic executable thereon to change the network to which the first node is linked comprises the second node having logic executable thereon to: programmatically reconfigure the network (Col 5 line 62- Col 6 line 21, switch file is updated).
26. Referring to claims 2, 11, 12, 17 and 23, claims 2, 11, 12, 17 and 23 encompass the same scope of the invention as that of the claim 28. Therefore, claims 2, 11, 12, 17 and 23 are rejected for the same reason as the claim 28.
27. Claims 4, 14, 16, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wiedeman in views of Stewart et al., US Patent Number 6,732,176, hereinafter Stewart.
28. Referring to claims 4 and 14, Wiedeman teaches the network component is disconnected to a network, and reconnected to another network as described in claim 1 (Col 6 lines 1-21).

Wiedeman does not teach access points that connect the network component to the network.

Stewart teaches access points couple through VLAN (Col 9 lines 28-47, Col 9 line 65- Col 10 line 2).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate the access point of Stewart to Wiedeman, because

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both Wiedeman and Stewart teaches network devices connecting to network through VLAN.

A person with ordinary skill in the art would have been motivated to make the modification to Wiedeman because it would allow a plurality of service providers to utilize a common set of access points to provide service to a potentially overlapping set of customers as taught by Stewart (Col 1 lines 55-66).

29. Referring to claims 16 and 24, claims 16 and 24 encompass the same scope of the invention as that of the claims 4 and 14. Therefore, claims 16 and 24 are rejected for the same reason as the claims 4 and 14.

### ***Conclusion***

30. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is reminded that in amending in response to a rejection of claims, the patentable novelty must be clearly shown in view of the state of the art disclosed by the references cited and the objection made. Applicant must show how the amendments avoid such references and objections. See 37 CFR 1.111(c).
31. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Liang-che Alex Wang whose telephone number is (571)272-3992. The examiner can normally be reached on Monday thru Friday, 8:30 am to 5:00 pm.

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32. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571)272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
33. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Liang-che Alex Wang *lcw*  
October 23, 2006

  
SALEH NAJJAR  
SUPERVISORY PATENT EXAMINER